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FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Report of the Fifth Committee

Rapporteur: Mr. Mahbub KABIR (Bangladesh)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" and to allocate it to the Fifth Committee.

2. The General Assembly took that decision on the understanding that such a decision should in no way prejudice the arrangements to be made for the future consideration of this item.

3. The Fifth Committee considered the item at its 42nd meeting, on 17 December 1993. Observations and comments made in the course of the Committee's consideration of the item are reflected in the relevant summary record (A/C.5/48/SR.42).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General (A/C.5/48/44);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions (A/48/765).

II. CONSIDERATION OF PROPOSAL

5. At the 42nd meeting, on 17 December, the Committee decided, on the oral proposal of the Chairman: (a) to take note of the report of the Secretary-General; 1/ (b) to endorse the recommendations of the Advisory Committee contained in paragraphs 8 and 9 of its report; 2/ and (c) to consider the question of the mode of financing of the International Tribunal at its resumed forty-eighth session (see A/C.5/48/SR.42).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the report of the Secretary-General 3/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 4/ decides:

(a) To endorse the recommendations of the Advisory Committee contained in paragraphs 8 and 9 of its report;

(b) To authorize the Secretary-General to enter into commitments not exceeding $5.6 million for the first six months of 1994, pending a final decision by the General Assembly on the mode of financing the Tribunal and without prejudice to recommendations that the Advisory Committee on Administrative and Budgetary Questions may make to the General Assembly and the decisions that the Assembly may take thereon with regard to administrative matters, including the location of the Court, the levels and numbers of staff and the conditions of service of the judges and staff;

(c) To consider at its resumed forty-eighth session the question of the mode of financing of the Tribunal and the conditions of service and allowances of the members of the International Tribunal.

1/ A/C.5/48/44.

2/ A/48/765.

3/ A/C.5/48/44.

4/ A/48/765.